

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 3526 – SB 3341

April 14, 2010

**SUMMARY OF AMENDMENTS (015687, 016895):** Deletes all language after the enacting clause and creates the Department of Intellectual and Developmental Disabilities (DIDD), transfers all current functions of the Division of Intellectual Disabilities Services (DIDS) to the Department and grants the Department authority over developmental and intellectual disabilities services. Changes the name of the Department of Mental Health and Developmental Disabilities (DMHDD) to the Department of Mental Health (DMH). Various provisions throughout Tennessee Code Annotated are changed to correspond with the responsibilities and name changes of DIDD and DMH. Decreases the required size of the Statewide Planning and Policy Council under the Department of Mental Health by six members. Creates an 11-member Statewide Planning and Policy Council under the Department of Intellectual and Developmental Disabilities. Includes the Commissioner of DIDD or designee to the membership of several task forces, councils, and boards. Licensing authority for mental retardation facilities and programs will remain with DMH and requires the Comptroller of the Treasury to study the feasibility of dividing the licensure of the state facilities between DMH and DIDD. The Comptroller shall report to the DIDD transition team, the prime sponsors of the legislation, the chair of the Senate General Welfare, Health, and Human Resources Committee and the chair of the House Health and Human Resources Committee by October 29, 2010. Deletes DIDD's authority to promulgate the Department's initial rules as emergency rules.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$20,000/One-Time  
Net Impact - \$561,000/Recurring

Other Fiscal Impact – The licensing fee revenue will shift from the Department of Mental Health to the Department of Intellectual and Developmental Disabilities. In 2009, approximately \$522,700 was collected from 537 facilities.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Increase State Expenditures - \$20,000/One-Time  
\$3,100/Recurring

Assumptions applied to amendments:

- Currently, the Deputy Commissioner for DIDS is making \$135,000 in salary. This is equal to the salary of other commissioners. Since the salary is equal to that of other

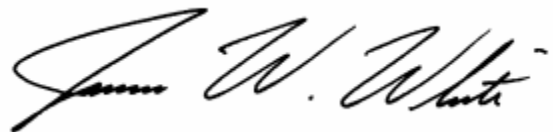
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commissioners, it is assumed that there will not be an increase in salary due to the title change.

- The current staff of the Division of Intellectual Disabilities Services will not need to increase to meet the requirements of the provisions of the bill as a Department.
- The DMHDD Statewide Planning and Policy Council meets at least quarterly and the members receive travel reimbursement for those meetings. Reducing the number of members on the Council will result in a reduction of travel reimbursements for six members. Mileage is estimated at \$154.44 round trip resulting in a decrease in expenditures of \$3,706.56 ( $\$154.44 \times 6 \times 4$ ).
- The DIDD Statewide Planning and Policy Council will meet at least quarterly and the 11 members will receive travel reimbursement for each meeting. It is estimated that this will result in an increase in expenditures of \$6,795.36 ( $\$154.44 \times 11 \times 4$ ).
- The changes in the statewide planning and policy councils will result in a net increase in expenditures of \$3,088.88 ( $\$6,795.36 - \$3,706.56$ ).
- It is estimated that both DIDD and DMHDD will incur one-time expenditures in the amount of \$10,000 each to incorporate the name changes on signage, forms and brochures, and making new templates resulting in a one-time increase in expenditures of \$20,000. Other supplies will be replaced as necessary during the regular replacement cycle.
- The Comptroller's Office will not incur a significant increase in expenditures to study the feasibility of dividing the licensure of the state facilities between DMH and DIDD. Any cost can be accommodated within existing resources without an increased appropriation or reduced reversion.

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and a stylized "W".

James W. White, Executive Director

/kml